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August 23, 1979

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DISTRICT 3
WATER QUALITY DIV.

TO: Frank Baldwin

FROM: Karl Zollner, Jr. *KJB*

SUBJECT: Brown Corporation of Ionia, Inc.

Please review the attached briefing memorandum. As described in that memo, this Company is engaged in the production, painting, metal cleaning and welding automotive steel stampings. They currently discharge without the benefit of a permit, order or stipulation.

An application for a discharge permit was received from the Company on August 25, 1975. For some reason the permit was not issued. When Chet Harvey inherited this area from John Cosens, his staff requested an updated application from the Company. This was received on January 11, 1978. Chet's District has prepared and submitted a draft NPDES permit that contains interim limits and a schedule of compliance for the Company to meet final limits. This Draft permit has been reviewed and approved by both the Biology Section and the Office of Toxic Materials Control.

The Company is not currently meeting BPCTA. Since this is an existing unpermitted discharge and since July 1, 1977, has long since past, I question whether we can issue the proposed permit as drafted. It would be my understanding that we should rather draft a permit that contains only final limits. The interim limits and schedule of compliance will have to be contained in a Final Order of the Water Resources Commission that would be issued concurrently with the permit. We would leave to your Section the question as to whether the penalties should be assessed due to the fact that the Company did not meet BPTCA by July 1, 1977.

I would appreciate receiving your comments, particularly letting me know if you agree with this approach or feel that it would be acceptable for us to issue a NPDES permit with interim limits and a schedule of compliance to meet final limits.

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cc: W. Denniston

C. Harvey

EPA Region 5 Records Ctr.



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